

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

IN RE: TESTOSTERONE
REPLACEMENT THERAPY PRODUCTS
LIABILITY LITIGATION

Case No. 1:14-CV-01748
MDL 2545

This document relates: All ACTIONS

JUDGE MATTHEW F. KENNELLY

CASE MANAGEMENT ORDER NO. 22A
(Amendments to Master Pleadings regarding two Actavis Defendants)

The parties have met and conferred and, after negotiation and agreement of counsel, have agreed to the following plan to address amendments to the Master Pleadings regarding two Actavis defendants: Actavis plc and Watson Laboratories, Inc. a Nevada corporation.

The Court hereby **ORDERS AS FOLLOWS:**

1. Defendant Watson Laboratories Inc., a Nevada corporation asserts it had no role with respect to Androderm and believes it was only included as a defendant because, at the time of the filing of the Master Complaint, its name was nearly identical to another Actavis entity that did have a role (namely, “Watson Laboratories, Inc., a Delaware corporation,” now known as “Actavis Laboratories UT, Inc.”).

2. Therefore, the parties have agreed that Watson Laboratories Inc., a Nevada corporation will be dismissed *without prejudice* from the Master Pleadings. An Amended Master Complaint and Amended Short Form Complaint accomplishing this will be filed within 15 days of entry of this Order.

3. Based upon representations from counsel for Defendants Actavis Laboratories UT, Inc.; Actavis Pharma, Inc.; Actavis, Inc.; and Anda, Inc., Plaintiffs understand that Defendant Actavis plc is an Irish company and an indirect parent of the other Actavis entities but it had no role related to Androderm.

4. Each of the four remaining Actavis defendants—Actavis, Inc.; Actavis Pharma, Inc.; Actavis Laboratories UT, Inc.; and Anda, Inc.(a pass-through distributor) asserts that it has the ability to pay any reasonably foreseeable judgment which could be entered against it in this litigation related to Androderm and that any necessary funds that are currently with those Actavis defendants will remain with them.

5. Therefore, the parties have agreed that Actavis plc will be dismissed *without prejudice* from the Master Pleadings. An Amended Master Complaint and Amended Short Form Complaint accomplishing this will be filed within 15 days of entry of this Order.

6. Actavis, Inc.; Actavis Pharma, Inc.; Actavis Laboratories UT, Inc.; and Anda, Inc. agree they will not claim that either Actavis plc or Watson Laboratories Inc., a Nevada corporation is an indispensable party to any product liability claims filed in these proceedings as such claims pertain to Androderm.

IT IS SO ORDERED.



MATTHEW F. KENNELLY
UNITED STATES DISTRICT JUDGE

November 12, 2015